
SENATE BILL 5844

State of Washington 60th Legislature 2007 Regular Session

By Senators Roach, Jacobsen, Rockefeller, Rasmussen and Sheldon

Read first time 02/02/2007. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to specialized forest products and specialty wood;
2 amending RCW 76.48.010, 76.48.020, 76.48.030, 76.48.050, 76.48.060,
3 76.48.070, 76.48.075, 76.48.094, 76.48.096, 76.48.098, 76.48.100,
4 76.48.110, 76.48.120, 76.48.150, and 76.48.200; adding new sections to
5 chapter 76.48 RCW; and prescribing penalties.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 76.48.010 and 1967 ex.s. c 47 s 2 are each amended to
8 read as follows:

9 It is in the public interest of this state to protect a great
10 natural resource and to provide a high degree of protection to the
11 landowners of the state of Washington from the theft of specialized
12 forest products and specialty wood.

13 **Sec. 2.** RCW 76.48.020 and 2005 c 401 s 1 are each amended to read
14 as follows:

15 The definitions in this section apply throughout this chapter
16 unless the context clearly requires otherwise.

17 (1) "Authorization" means a properly completed preprinted form
18 authorizing the transportation or possession of Christmas trees which

1 contains the information required by RCW 76.48.080, a sample of which
2 is filed before the harvesting occurs with the sheriff of the county in
3 which the harvesting is to occur.

4 (2) "Bill of lading" means a written or printed itemized list or
5 statement of particulars pertinent to the transportation or possession
6 of a specialized forest product.

7 (3) "Cascara bark" means the bark of a Cascara tree (Rhumnus
8 purshiana).

9 (4) "Cedar" means western red cedar (Thuja plicata).

10 (5) "Cedar processor" means any person who purchases, takes, or
11 retains possession of cedar products or cedar salvage for later sale in
12 the same or modified form as processed cedar products following removal
13 and delivery from the land where harvested.

14 ((+5)) (6) "Cedar products" means cedar shakeboards, shake and
15 shingle bolts, and rounds one to three feet in length.

16 ((+6)) (7) "Cedar salvage" means cedar chunks, slabs, stumps, and
17 logs having a volume greater than one cubic foot and being harvested or
18 transported from areas not associated with the concurrent logging of
19 timber stands (a) under a forest practices application approved or
20 notification received by the department of natural resources, or (b)
21 under a contract or permit issued by an agency of the United States
22 government. However, the harvest, possession, or transportation of
23 three or fewer cedar logs, each eight feet or less in length, shall be
24 considered harvest, possession, or transportation of specialty wood.

25 ((+7)) (8) "Christmas trees" means any evergreen trees or the top
26 thereof((+7)) and of such a height and appearance as to be commonly
27 known as Christmas trees, with limbs and branches, with or without
28 roots, including fir, pine, spruce, cedar, and other coniferous
29 species.

30 ((+8)) (9) "Cut or picked evergreen foliage," commonly known as
31 brush, means evergreen boughs, huckleberry, salal, fern, Oregon grape,
32 rhododendron, mosses, and bear grass(~~(, scotch broom (Cytisus~~
33 ~~scoparius), and other cut or picked evergreen products)).~~ "Cut or
34 picked evergreen foliage" does not mean cones, berries, any foliage
35 that does not remain green year-round, or seeds.

36 ((+9)) (10) "Harvest" means to separate, by cutting, prying,
37 picking, peeling, breaking, pulling, splitting, or otherwise removing,
38 a specialized forest product or specialty wood (a) from its physical

1 connection or contact with the land or vegetation upon which it is or
2 was growing or (b) from the position in which it is lying upon the
3 land.

4 ~~((+10+))~~ (11) "Harvest site" means each location where one or more
5 persons are engaged in harvesting specialized forest products or
6 specialty wood close enough to each other that communication can be
7 conducted with an investigating law enforcement officer in a normal
8 conversational tone.

9 ~~((+11+))~~ (12) "Landowner" means, with regard to real property, the
10 private owner, the state of Washington or any political subdivision,
11 the federal government, or a person who by deed, contract, or lease has
12 authority to harvest and sell forest products of the property.
13 "Landowner" does not include the purchaser or successful high bidder at
14 a public or private timber sale.

15 ~~((+12+))~~ (13) "Native ornamental trees and shrubs" means any trees
16 or shrubs which are not nursery grown and which have been removed from
17 the ground with the roots intact.

18 ~~((+13) "Permit area" means a designated tract of land that may
19 contain single or multiple harvest sites.))~~

20 (14) "Person" includes the plural and all corporations, foreign or
21 domestic, copartnerships, firms, and associations of persons.

22 (15) "Processed cedar products" means cedar shakes, shingles, fence
23 posts, hop poles, pickets, stakes, rails, or rounds less than one foot
24 in length.

25 (16) "Sheriff" means, for the purpose of validating specialized
26 forest products permits, the county sheriff, deputy sheriff, or an
27 authorized employee of the sheriff's office or an agent of the office.

28 (17) "Specialized forest products" means Christmas trees, native
29 ornamental trees and shrubs, cut or picked evergreen foliage, cedar
30 products, cedar salvage, processed cedar products, ~~((specialty wood,))~~
31 wild edible mushrooms, and Cascara bark.

32 (18) "Specialized forest products permit" means a printed document
33 in a form printed by the department of natural resources, or true copy
34 thereof, that is signed by a landowner or his or her authorized agent
35 or representative, referred to in this chapter as "~~((permitters))~~
36 permitters" and validated by the county sheriff and authorizes a
37 designated person, referred to in this chapter as "permittee," who has
38 also signed the permit, to harvest, possess, and transport a designated

1 specialized forest product from land owned or controlled and specified
2 by the (~~permitter~~) permitter and that is located in the county where
3 the permit is issued.

4 (19)(a) "Specialty wood" means (~~wood that is~~):

5 (~~(a) In logs less than eight feet in length, chunks, slabs,
6 stumps, or burls; and~~

7 ~~(b) One or more of the following:~~

8 ~~(i) Of the species western red cedar, Englemann spruce, Sitka
9 spruce, big leaf maple, or western red alder;~~

10 ~~(ii) Without knots in a portion of the surface area at least
11 twenty one inches long and seven and a quarter inches wide when
12 measured from the outer surface toward the center; or~~

13 ~~(iii) Suitable for the purposes of making musical instruments or
14 ornamental boxes.)~~

15 (i) Wood of the species western red cedar, Engelmann spruce (*Picea*
16 *engelmannii*), Sitka spruce (*Picea sitchensis*), big leaf maple (*Acer*
17 *macrophyllum*), or red alder (*Alnus rubra*) that is:

18 (A) In logs less than eight feet in length; or

19 (B) In slabs at least twenty-one inches long and seven and one-
20 quarter inches wide when measured from the outer surface toward the
21 center, without knots in a portion of the surface area, and suitable
22 for the purposes of making musical instruments;

23 (ii) Cedar or maple burls;

24 (iii) Cedar stumps; or

25 (iv) Three or fewer cedar logs, each eight feet or less in length.

26 (b) "Specialty wood" does not include western red cedar logs,
27 chunks, or stumps that can be processed into cedar products, which are
28 subject to the requirements listed in this chapter for the harvest,
29 possession, and transportation of cedar as specialized forest products.

30 (20) "Specialty wood buyer" means the first person that receives
31 any specialty wood product after it leaves the harvest site.

32 (21) "Specialty wood processor" means any person who purchases,
33 takes, or retains possession of specialty wood products or specialty
34 wood salvage for later sale in the same or modified form following
35 removal and delivery from the land where harvested.

36 (22) "Transportation" means the physical conveyance of specialized
37 forest products or specialty wood outside or off of a harvest site by
38 any means.

1 (23) "True copy" means a replica of a validated specialized forest
2 products permit as reproduced by a copy machine capable of effectively
3 reproducing the information contained on the permittee's copy of the
4 specialized forest products permit. A copy is made true by the
5 permittee or the permittee and (~~permitter~~) permitter signing in the
6 space provided on the face of the copy. A true copy will be effective
7 until the expiration date of the specialized forest products permit
8 unless the permittee or the permittee and (~~permitter~~) permitter
9 specify an earlier date. A (~~permitter~~) permitter may require the
10 actual signatures of both the permittee and (~~permitter~~) permitter for
11 execution of a true copy by so indicating in the space provided on the
12 original copy of the specialized forest products permit. A permittee,
13 or, if so indicated, the permittee and (~~permitter~~) permitter, may
14 condition the use of the true copy to harvesting only, transportation
15 only, possession only, or any combination thereof.

16 (24) "Wild edible mushrooms" means edible mushrooms not cultivated
17 or propagated by artificial means.

18 **Sec. 3.** RCW 76.48.030 and 1995 c 366 s 2 are each amended to read
19 as follows:

20 Except as otherwise provided in RCW 76.48.100, it is unlawful for
21 any person to:

22 (1) Harvest specialized forest products as described in RCW
23 76.48.020, in the quantities specified in RCW 76.48.060, without first
24 obtaining a validated specialized forest products permit;

25 (2) Engage in activities or phases of harvesting specialized forest
26 products not authorized by the permit; or

27 (3) Harvest specialized forest products in any lesser quantities
28 than those specified in RCW 76.48.060, as now or hereafter amended,
29 without first obtaining permission from the landowner or (~~his or her~~)
30 the landowner's duly authorized agent or representative.

31 **Sec. 4.** RCW 76.48.050 and 2005 c 401 s 2 are each amended to read
32 as follows:

33 Specialized forest products permits shall consist of properly
34 completed permit forms validated by the sheriff of the county in which
35 the specialized forest products are to be harvested. Each permit shall
36 be separately numbered and the issuance of the permits shall be by

1 consecutive numbers. All specialized forest products permits shall
2 expire at the end of the calendar year in which issued, or sooner, at
3 the discretion of the (~~permitter~~) permitter. A properly completed
4 specialized forest products permit form shall include:

5 (1) The date of its execution and expiration;

6 (2) The name, address, telephone number, if any, and signature of
7 the (~~permitter~~) permitter;

8 (3) The name, address, telephone number, if any, and signature of
9 the permittee;

10 (4) The type of specialized forest products to be harvested or
11 transported;

12 (5) The approximate amount or volume of specialized forest products
13 to be harvested or transported;

14 (6) The legal description of the property from which the
15 specialized forest products are to be harvested or transported,
16 including the name of the county, or the state or province if outside
17 the state of Washington;

18 (7) A description by local landmarks of where the harvesting is to
19 occur, or from where the specialized forest products are to be
20 transported;

21 (8) For cedar products(~~(τ)~~) and cedar salvage, (~~(and—specialty~~
22 ~~woodτ)~~) a copy of a map or aerial photograph, with defined permitted
23 boundaries, included as an attachment to the permit;

24 (9) A copy of a valid picture identification; and

25 (10) Any other condition or limitation which the (~~permitter~~)
26 permitter may specify.

27 Except for the harvesting of Christmas trees, the permit or true
28 copy thereof must be carried by the permittee and the permittee's
29 agents and be available for inspection at all times. For the
30 harvesting of Christmas trees only a single permit or true copy thereof
31 is necessary to be available at the harvest site.

32 **Sec. 5.** RCW 76.48.060 and 2005 c 401 s 3 are each amended to read
33 as follows:

34 (1) Except as otherwise provided in RCW 76.48.100, a specialized
35 forest products permit validated by the county sheriff shall be
36 obtained by a person prior to harvesting from any lands, including his
37 or her own, more than five Christmas trees, more than five native

1 ornamental trees or shrubs, more than five pounds of cut or picked
2 evergreen foliage, any cedar products, cedar salvage, processed cedar
3 products, or more than five pounds of Cascara bark, or more than five
4 United States gallons of a single species of wild edible mushroom.

5 (2) Specialized forest products permit forms shall be provided by
6 the department of natural resources, and shall be made available
7 through the office of the county sheriff to permittees or
8 (~~permitters~~) permitters in reasonable quantities. A permit form
9 shall be completed in triplicate for each (~~permittor's~~) permittor's
10 property on which a permittee harvests specialized forest products. A
11 properly completed permit form shall be (~~mailed or~~) presented for
12 validation to the sheriff of the county in which the specialized forest
13 products are to be harvested.

14 (3) Before a permit form is validated by the sheriff, sufficient
15 personal identification may be required to reasonably identify the
16 person (~~mailing or~~) presenting the permit form (~~and the sheriff may~~
17 ~~conduct other investigations as deemed necessary to determine the~~
18 ~~validity of the information alleged on the form~~). When the sheriff is
19 reasonably satisfied as to the truth of the information, the form shall
20 be validated with the sheriff's validation stamp.

21 (4) Upon validation, the form shall become the specialized forest
22 products permit authorizing the harvesting, possession, or
23 transportation of specialized forest products, subject to any other
24 conditions or limitations which the (~~permittor~~) permittor may
25 specify. Two copies of the permit shall be given or mailed to the
26 (~~permittor~~) permittor, or one copy shall be given or mailed to the
27 (~~permittor~~) permittor and the other copy given or mailed to the
28 permittee. The original permit shall be retained in the office of the
29 county sheriff validating the permit.

30 (5) In the event a single land ownership is situated in two or more
31 counties, a specialized forest product permit shall be completed as to
32 the land situated in each county.

33 (6) While engaged in harvesting of specialized forest products,
34 permittees, or their agents or employees, must have readily available
35 at each harvest site a valid permit or true copy of the permit.

36 **Sec. 6.** RCW 76.48.070 and 2005 c 401 s 4 are each amended to read
37 as follows:

1 (1) Except as provided in RCW 76.48.100 and 76.48.075, it is
2 unlawful for any person (a) to possess, (b) to transport, or (c) to
3 possess and transport within the state of Washington, subject to any
4 other conditions or limitations specified in the specialized forest
5 products permit by the (~~permittor~~) permitter, more than five
6 Christmas trees, more than five native ornamental trees or shrubs, more
7 than five pounds of cut or picked evergreen foliage, any processed
8 cedar products, or more than five pounds of Cascara bark, or more than
9 five gallons of a single species of wild edible mushroom without having
10 in his or her possession a written authorization, sales invoice, bill
11 of lading, or specialized forest products permit or a true copy thereof
12 evidencing his or her title to or authority to have possession of
13 specialized forest products being so possessed or transported.

14 (2) Except as otherwise provided in RCW 76.48.100, it is unlawful
15 for any person either (a) to possess, (b) to transport, or (c) to
16 possess and transport within the state of Washington any cedar
17 products(~~(or)~~) or cedar salvage(~~(or specialty wood)~~) without having in
18 his or her possession a specialized forest products permit or a true
19 copy thereof evidencing his or her title to or authority to have
20 possession of the materials being so possessed or transported. The
21 specialized forest products permit or true copy are (~~valid~~) required
22 only to possess, transport, or possess and transport the cedar
23 products(~~(or)~~) or cedar salvage(~~(or specialty wood)~~) from the harvest
24 site to the first cedar (~~(or specialty wood)~~) processor or buyer. For
25 purposes of this subsection, a true copy requires the actual signatures
26 of both the permittee and the (~~permittor~~) permitter for the execution
27 of a true copy.

28 **Sec. 7.** RCW 76.48.075 and 2005 c 401 s 5 are each amended to read
29 as follows:

30 (1) It is unlawful for any person to transport or cause to be
31 transported into this state from any other state or province
32 specialized forest products, except those harvested from that person's
33 own property, without: (a) First acquiring and having readily
34 available for inspection a document indicating the true origin of the
35 specialized forest products as being outside the state, or (b) without
36 acquiring a specialized forest products permit as provided in
37 subsection (4) of this section.

1 (2) Any person transporting or causing to be transported
2 specialized forest products into this state from any other state or
3 province shall, upon request of any person to whom the specialized
4 forest products are sold or delivered or upon request of any law
5 enforcement officer, prepare and sign a statement indicating the true
6 origin of the specialized forest products, the date of delivery, and
7 the license number of the vehicle making delivery, and shall leave the
8 statement with the person making the request.

9 (3) It is unlawful for any person to possess specialized forest
10 products, transported into this state, with knowledge that the products
11 were introduced into this state in violation of this chapter.

12 (4) When any person transporting or causing to be transported into
13 this state specialized forest products elects to acquire a specialized
14 forest products permit, the specialized forest products transported
15 into this state shall be deemed to be harvested in the county of entry,
16 and the sheriff of that county may validate the permit as if the
17 products were so harvested, except that the permit shall also indicate
18 the actual harvest site outside the state.

19 (5) A cedar (~~(or specialty wood)~~) processor shall comply with RCW
20 76.48.096 by requiring a person transporting specialized forest
21 products into this state from any other state or province to display a
22 specialized forest products permit, or true copy thereof, or other
23 (~~(governmental)~~) document indicating the true origin of the specialized
24 forest products as being outside the state. For purposes of this
25 subsection, a true copy requires the actual signatures of both the
26 permittee and the (~~(permitter)~~) permitter for the execution of a true
27 copy. The cedar (~~(or specialty wood)~~) processor shall make and
28 maintain a record of the purchase, taking possession, or retention of
29 cedar products and cedar salvage in compliance with RCW 76.48.094.

30 (6) If, under official inquiry, investigation, or other authorized
31 proceeding regarding specialized forest products not covered by a valid
32 specialized forest products permit or other acceptable document, the
33 inspecting law enforcement officer has probable cause to believe that
34 the specialized forest products were harvested in this state or
35 wrongfully obtained in another state or province, the officer may take
36 into custody and detain, for a reasonable time, the specialized forest
37 products, all supporting documents, invoices, and bills of lading, and

1 the vehicle in which the products were transported until the true
2 origin of the specialized forest products can be determined.

3 **Sec. 8.** RCW 76.48.094 and 2005 c 401 s 7 are each amended to read
4 as follows:

5 (1) Cedar (~~((or specialty wood))~~) processors shall make and maintain
6 a record of the purchase, taking possession, or retention of cedar
7 products(~~(())~~) or cedar salvage(~~((or specialty wood))~~) for at least one
8 year after the date of receipt. The record must be legible and must be
9 made at the time each delivery is made.

10 (2) The bill of lading must accompany all cedar products(~~(())~~) or
11 cedar salvage(~~((or specialty wood))~~) products after the products are
12 received by the cedar (~~((or specialty wood))~~) processor. The bill of
13 lading must include the specialized forest products permit number or
14 the information provided for in RCW 76.48.075(5) and must also specify:

- 15 (a) The date of transportation;
- 16 (b) The name and address of the first cedar (~~((or specialty wood))~~)
17 processor or buyer who recorded the specialized forest products
18 information;
- 19 (c) The name and address from where the cedar (~~((or specialty wood))~~)
20 products are being transported;
- 21 (d) The name of the person receiving the cedar (~~((or specialty
22 wood))~~) products;
- 23 (e) The address to where the cedar (~~((or specialty wood))~~) products
24 are being transported;
- 25 (f) The name of the driver;
- 26 (g) The vehicle license number;
- 27 (h) The type of cedar (~~((or specialty wood))~~) product being shipped;
- 28 and
- 29 (i) The amount of cedar (~~((or specialty wood))~~) product being
30 shipped.

31 **Sec. 9.** RCW 76.48.096 and 2005 c 401 s 8 are each amended to read
32 as follows:

33 Except as otherwise provided in RCW 76.48.100, it is unlawful for
34 any cedar (~~((or specialty wood))~~) buyer or processor to purchase, take
35 possession, or retain cedar (~~((or specialty wood))~~) products or cedar
36 salvage subsequent to the harvesting and prior to the retail sale of

1 the cedar products, unless the supplier thereof displays a specialized
2 forest products permit, or true copy thereof that appears to be valid,
3 or obtains the information under RCW 76.48.075(5).

4 **Sec. 10.** RCW 76.48.098 and 2005 c 401 s 9 are each amended to read
5 as follows:

6 Every cedar (~~((or specialty wood))~~) buyer or processor shall
7 prominently display a valid registration certificate, or copy thereof,
8 obtained from the department of revenue under RCW 82.32.030 at each
9 location where the buyer or processor receives cedar products(~~((τ))~~) or
10 cedar salvage(~~((τ, or specialty wood))~~).

11 When dealing with cedar processors, permittees shall sell cedar
12 products(~~((τ))~~) or cedar salvage(~~((τ, or specialty wood products))~~) only to
13 cedar (~~((or specialty wood))~~) processors displaying registration
14 certificates which appear to be valid.

15 **Sec. 11.** RCW 76.48.100 and 2005 c 401 s 10 are each amended to
16 read as follows:

17 The provisions of this chapter do not apply to:

- 18 (1) Nursery grown products.
- 19 (2) Logs (except as included in the definition of "cedar salvage"
20 under RCW 76.48.020), poles, pilings, or other major forest products
21 from which substantially all of the limbs and branches have been
22 removed, specialty wood, and cedar salvage when harvested concurrently
23 with timber stands (a) under an approved forest practices application
24 or notification, or (b) under a contract or permit issued by an agency
25 of the United States government.

26 (3) The activities of a landowner, (~~((his or her))~~) the landowner's
27 agent, (~~((or representative,))~~) or of a lessee of land in carrying on
28 noncommercial property management, maintenance, or improvements on or
29 in connection with the land of the landowner or lessee, including
30 harvesting, possession, and transport of specialized forest products or
31 specialty wood.

32 **Sec. 12.** RCW 76.48.110 and 2005 c 401 s 11 are each amended to
33 read as follows:

34 (1) Whenever any law enforcement officer has probable cause to
35 believe that a person is harvesting or is in possession of or

1 transporting specialized forest products or specialty wood in violation
2 of the provisions of this chapter, he or she may, at the time of making
3 an arrest, seize and take possession of any specialized forest products
4 or specialty wood found. If the specialized forest product is a cedar
5 product, cedar salvage, or specialty wood, at the time of making an
6 arrest the law enforcement officer may seize and take possession of any
7 equipment, vehicles, tools, or paperwork. The law enforcement officer
8 shall provide reasonable protection for the equipment, vehicles, tools,
9 paperwork, ~~((~~or~~))~~ specialized forest products, or specialty wood
10 involved during the period of litigation or he or she shall dispose of
11 the equipment, vehicles, tools, paperwork, ~~((~~or~~))~~ specialized forest
12 products, or specialty wood at the discretion or order of the court
13 before which the arrested person is ordered to appear.

14 (2) Upon any disposition of the case by the court, the court shall
15 make a reasonable effort to return the equipment, vehicles, tools,
16 paperwork, ~~((~~or~~))~~ specialized forest products, or specialty wood to its
17 rightful owner or pay the proceeds of any sale of specialized forest
18 products or specialty wood less any reasonable expenses of the sale to
19 the rightful owner. If for any reason, the proceeds of the sale cannot
20 be disposed of to the rightful owner, the proceeds, less the reasonable
21 expenses of the sale, shall be paid to the treasurer of the county in
22 which the violation occurred. The county treasurer shall deposit the
23 same in the county general fund. The return of the equipment,
24 vehicles, tools, paperwork, ~~((~~or~~))~~ specialized forest products, or
25 specialty wood or the payment of the proceeds of any sale of products
26 seized to the owner shall not preclude the court from imposing any fine
27 or penalty upon the violator for the violation of the provisions of
28 this chapter.

29 **Sec. 13.** RCW 76.48.120 and 2003 c 53 s 373 are each amended to
30 read as follows:

31 (1) It is unlawful for any person, upon official inquiry,
32 investigation, or other authorized proceedings, to offer as genuine any
33 paper, document, or other instrument in writing purporting to be a
34 specialized forest products permit, or true copy thereof,
35 authorization, bill of sale, sales invoice, or bill of lading, or to
36 make any representation of authority to possess or conduct harvesting

1 or transporting of specialty wood or specialized forest products,
2 knowing the same to be in any manner false, fraudulent, forged, or
3 stolen.

4 (2) Any person who knowingly or intentionally violates this section
5 is guilty of a class C felony punishable by imprisonment in a state
6 correctional institution for a maximum term fixed by the court of not
7 more than five years or by a fine of not more than five thousand
8 dollars, or by both imprisonment and fine.

9 (3) Whenever any law enforcement officer reasonably suspects that
10 a specialized forest products permit or true copy thereof,
11 authorization, bill of sale, sales invoice, or bill of lading is
12 forged, fraudulent, or stolen, it may be retained by the officer until
13 its authenticity can be verified.

14 **Sec. 14.** RCW 76.48.150 and 2005 c 401 s 13 are each amended to
15 read as follows:

16 The department of natural resources is the designated agency to
17 develop and print the specialized forest products permit and distribute
18 it to the county sheriffs. In addition, the (~~department of natural~~
19 ~~resources~~) Washington State University cooperative extension service
20 shall develop educational material and other printed information for
21 law enforcement, forest landowners, and specialized forest products and
22 specialty wood harvesters, buyers, and processors specific to this
23 chapter.

24 **Sec. 15.** RCW 76.48.200 and 1995 c 366 s 17 are each amended to
25 read as follows:

26 Minority groups have long been participants in the specialized
27 forest products industry. The legislature encourages agencies serving
28 minority communities, community-based organizations, refugee centers,
29 social service agencies, agencies and organizations with expertise in
30 the specialized forest products industry, and other interested groups
31 to work cooperatively to accomplish the following purposes:

32 (1) To provide assistance and make referrals on translation
33 services and to assist in translating educational materials, laws, and
34 rules regarding specialized forest products;

35 (2) To hold clinics to teach techniques for effective picking; and

1 (3) To work with both minority and nonminority permittees in order
2 to protect resources and foster understanding between minority and
3 nonminority permittees.

4 To the extent practicable within their existing resources, the
5 commission on Asian-American affairs, the commission on Hispanic
6 affairs, and the (~~department of natural resources~~) Washington State
7 University cooperative extension service are encouraged to coordinate
8 this effort.

9 NEW SECTION. Sec. 16. A new section is added to chapter 76.48 RCW
10 to read as follows:

11 Except as otherwise provided in RCW 76.48.100:

12 (1) A person must obtain a bill of sale prior to harvesting
13 specialty wood from any lands, including his or her own land.

14 (2) A bill of sale must be completed in duplicate for each
15 permitter's property on which a permittee harvests specialty wood.

16 (3) Upon the signature of the permitter, the bill of sale becomes
17 the authorization to harvest, possess, or transport the specialty wood
18 from the origin of harvest until the first sale or transfer, subject to
19 any other conditions or limitations that the permitter may specify.
20 One copy of the bill of sale must be given or mailed to the permitter
21 and the other copy given or mailed to the permittee.

22 (4) While engaged in harvesting of specialty wood, permittees or
23 their agents or employees must have the original bill of sale readily
24 available at each harvest site. The original bill of sale must be
25 presented to any law enforcement officer upon request for inspection.
26 No duplicates or copies of a bill of sale may be presented as a valid
27 bill of sale or authentication of ownership of specialty wood under
28 this chapter.

29 NEW SECTION. Sec. 17. A new section is added to chapter 76.48 RCW
30 to read as follows:

31 A bill of sale, for use for the harvest, possession, and transport
32 of specialty wood from the origin of the harvest must contain and
33 specify:

34 (1) The date of its execution;

35 (2) The name, address, and phone number of the buyer or donee;

36 (3) The name, address, and phone number of the seller or donor;

- 1 (4) The number and description, including species, of the specialty
2 wood being purchased or transported;
- 3 (5) The location of harvest site or place of sale or donation by
4 address or legal description;
- 5 (6) The date, time, and signature of the buyer or donee; and
6 (7) The date, time, and signature of the seller or donor.

7 NEW SECTION. **Sec. 18.** A new section is added to chapter 76.48 RCW
8 to read as follows:

9 Except as otherwise provided in RCW 76.48.100:

10 (1) It is unlawful for any specialty wood processor to purchase,
11 take possession, or retain specialty wood products subsequent to the
12 harvesting and prior to the retail sale of the products unless the
13 supplier of the specialty wood products displays a bill of sale that
14 appears to be valid or obtains the information as required by this
15 chapter.

16 (2) Specialty wood processors shall make and maintain a record of
17 the purchase, taking possession, or retention of specialty wood for at
18 least one year after the date of receipt. The record must be legible,
19 include the information provided on the bill of sale, and must be made
20 at the time each delivery is made. Records related to the purchase,
21 possession, or retention of specialty wood must, upon request, be made
22 available for inspection by any law enforcement officer.

23 (3) A subsequent bill of sale must accompany all specialty wood
24 products sold, donated, or otherwise disposed of to another person
25 after the specialty wood products have been initially received by the
26 specialty wood processor. In addition to the requirements listed for
27 a bill of sale in section 17 of this act, a bill of sale from a
28 specialty wood processor for resale of specialty wood must include the
29 specialty wood processor's department of revenue registration
30 certificate number as required in section 19 of this act.

31 NEW SECTION. **Sec. 19.** A new section is added to chapter 76.48 RCW
32 to read as follows:

33 Every specialty wood processor shall prominently display a valid
34 registration certificate, or copy thereof, obtained from the department
35 of revenue under RCW 82.32.030 at each location where the processor
36 receives specialty wood.

1 NEW SECTION. **Sec. 20.** A new section is added to chapter 76.48 RCW
2 to read as follows:

3 (1) It is unlawful for a person to:

4 (a) Harvest specialty wood or engage in activities or phases of
5 harvesting, possessing, or transporting specialty wood without first
6 obtaining permission from the landowner or their duly authorized agent
7 or representative in the form of a bill of sale as described in section
8 17 of this act; or

9 (b) Engage in activities processing specialty wood, retaining
10 processed specialty wood, or selling or disposing of processed
11 specialty wood without meeting the requirements of sections 18 and 19
12 of this act.

13 (2) Nothing in this section precludes the prosecution for crimes
14 under Title 9A RCW.

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